

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

*Plaintiff,*

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA, INC.,

*Defendants.*

Civil Action No. 2:23-cv-00103-JRG-RSP

**JURY DEMANDED**

**JOINT MOTION TO AMEND DEADLINES**

Plaintiff Headwater Research LLC (“Plaintiff”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (“Defendants”) respectfully file this Joint Motion to Amend Deadlines to extend the deadlines in this case as follows:

Event	Original Date	Amended Date
Pretrial Conference	December 2, 2024	
Notify Court of Agreements Reached During Meet and Confer The parties are ordered to meet and confer on any outstanding objections or motions in limine. The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.	November 25, 2024	
File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions in Limine, Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations	November 25, 2024	
File Notice of Request for Daily Transcript or Real Time Reporting	November 18, 2024	

File Motions in Limine The parties shall limit their motions in limine to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.	November 11, 2024	November 18, 2024
Serve Objections to Rebuttal Pretrial Disclosures	November 11, 2024	November 18, 2024
Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures	November 4, 2024	November 13, 2024
Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof	October 21, 2024	November 6, 2024
Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed prior to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. <sup>4</sup> Motions for Summary Judgment shall comply with Local Rule CV-56.	October 15, 2024	November 4, 2024
File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions) No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.	September 30, 2024	October 25, 2024
File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court. Motions shall comply with Local Rule CV-56 and Local Rule CV-7. Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.	September 30, 2024	October 25, 2024
Deadline to Complete Expert Discovery	September 24, 2024	October 15, 2024
Serve Disclosures for Rebuttal Expert Witnesses	September 12, 2024	October 3, 2024

Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof	August 22, 2024	September 16, 2024
Deadline to Complete Fact Discovery and File Motions to Compel Discovery	August 16, 2024	September 10, 2024

No other deadlines will be affected by this amendment. The Parties do not file this Motion for the purposes of delay, but rather so that justice may be done. Good cause supports the Parties' request in view of the scheduling conflicts of the Parties. The Parties and trial counsel for the Parties are scheduled for an upcoming jury trial before this Court, which is scheduled to begin on August 5, 2024, in *Headwater Research LLC v. Samsung Electronics America, Inc. et al.*, Case No. 2:22-cv-00422-JRG-RSP, for which the Parties' trial preparation, jury trial, and expected post-trial briefing schedules are will conflict with numerous deadlines in this case. The requested extension will allow the Parties adequate time to resolve discovery issues that have arisen in the ordinary course as well as to complete depositions of their respective witnesses and prepare expert disclosures. Accordingly, the Parties believe that good cause supports extending the deadlines in this case. Accordingly, the Parties respectfully request that the Court grant this Joint Motion to Amend Deadlines.

Dated: July 16, 2024

/s/ Ruffin B. Cordell

Ruffin B. Cordell  
TX Bar No. 04820550  
Michael J. McKeon  
DC Bar No. 459780  
mckeon@fr.com  
Jared Hartzman (*pro hac vice* forthcoming)  
DC Bar No. 1034255  
hartzman@fr.com  
**FISH & RICHARDSON P.C.**  
1000 Maine Avenue, SW, Ste 1000  
Washington, D.C. 20024  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

Thad C. Kodish  
GA Bar No. 427603  
tkodish@fr.com  
Benjamin K. Thompson  
GA Bar No. 633211  
bthompson@fr.com  
Jonathan B. Bright  
GA Bar No. 256953  
jbright@fr.com  
Christopher O. Green  
GA Bar No. 037617  
cgreen@fr.com  
Noah C. Graubart  
GA Bar No. 141862  
graubart@fr.com  
Nicholas A. Gallo (*pro hac vice* forthcoming)  
GA Bar No. 546590  
gallo@fr.com  
Steffen C. Lake (*pro hac vice* forthcoming)  
GA Bar No. 512272  
lake@fr.com  
Vivian C. Keller (*pro hac vice*)  
GA Bar No. 651500  
keller@fr.com  
**FISH & RICHARDSON P.C.**

Respectfully submitted,

/s/ Marc Fenster

Marc Fenster  
CA State Bar No. 181067  
Reza Mirzaie  
CA State Bar No. 246953  
Brian Ledahl  
CA State Bar No. 186579  
Ben Wang  
CA State Bar No. 228712  
Paul Kroeger  
CA State Bar No. 229074  
Neil A. Rubin  
CA State Bar No. 250761  
Kristopher Davis  
CA State Bar No. 329627  
James S. Tsuei  
CA State Bar No. 285530  
Philip Wang  
CA State Bar No. 262239  
Amy Hayden  
CA State Bar No. 287026  
James Milkey  
CA State Bar No. 281283  
Jason M. Wietholter  
CA State Bar No. 337139  
RUSS AUGUST & KABAT  
12424 Wilshire Blvd. 12th Floor  
Los Angeles, CA 90025  
Telephone: 310-826-7474  
rak\_headwater@raklaw.com

Robert Christopher Bunt  
Parker, Bunt & Ainsworth, P.C.  
Texas State Bar No. 00787165  
100 E. Ferguson Suite 418  
Tyler, Texas 75702  
Tel.: (903) 531-3535  
rcbunt@pbatyler.com

**ATTORNEYS FOR PLAINTIFF,  
Headwater Research LLC**

1180 Peachtree St. NE, Fl. 21  
Atlanta, GA 30309  
Telephone: (404) 892-5005  
Facsimile: (404) 892-5002

Leonard E. Davis  
TX Bar No. 05521600  
ldavis@fr.com  
Andria Rae Crisler  
TX Bar No. 24093792  
crisler@fr.com  
Thomas H. Reger II  
Texas Bar No. 24032992  
reger@fr.com  
**FISH & RICHARDSON P.C.**  
1717 Main Street, Suite 5000  
Dallas, TX 75201  
Telephone: (214) 747-5070  
Facsimile: (214) 747-2091

John-Paul R. Fryckman (*pro hac vice*)  
CA Bar No. 317591  
**FISH & RICHARDSON P.C.**  
12860 El Camino Real, Ste. 400  
San Diego, CA 92130  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099

Katherine D. Prescott (*pro hac vice*)  
CA Bar No. 215496  
prescott@fr.com  
**FISH & RICHARDSON P.C.**  
500 Arguello Street  
Suite 400  
Redwood City, CA 94063  
Telephone: (650) 839-5180  
Facsimile: (650) 839-5071

Kyle J. Fleming (*pro hac vice*)  
NY Bar No. 5855499  
kfleming@fr.com  
**FISH & RICHARDSON P.C.**  
7 Times Square, 20th Floor,  
New York, NY 10036  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291

Melissa R. Smith  
State Bar No. 24001351  
Melissa@gillamsmithlaw.com  
**GILLAM & SMITH, LLP**  
303 South Washington Avenue  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

Andrew Thompson (“Tom”) Gorham  
State Bar No. 24012715  
tom@gillamsmithlaw.com  
**GILLAM & SMITH, LLP**  
102 N. College, Suite 800  
Tyler, Texas 75702  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

Michael E. Jones  
State Bar No. 10929400  
mikejones@potterminton.com  
Shaun W. Hassett  
State Bar No. 24074372  
shaunhassett@potterminton.com  
**POTTER MINTON, P.C.**  
102 N. College Ave., Suite 900  
Tyler, Texas 75702  
Telephone: (903) 597-8311  
Facsimile: (903) 593-0846

Lance Lin Yang  
CA. Bar No. 260705  
Lanceyang@quinnemanuel.com  
Kevin (Gyushik) Jang  
CA Bar No. 337747  
kevinjang@quinnemanuel.com  
Lindsay M. Cooper  
CA Bar No. 287125  
lindsaycooper@quinnemanuel.com  
Sean S. Pak  
CA Bar No. 219032  
seanpak@quinnemanuel.com  
**QUINN EMANUEL URQUHART &  
SULLIVAN, LLP**  
50 California Street, 22nd Floor  
San Francisco, CA 94111

Telephone: (415) 875-6600

Jon Bentley Hyland  
Texas Bar No. 24046131  
jhyland@hilgersgraben.com  
Grant K. Schmidt  
Texas Bar No. 24084579  
gschmidt@hilgersgraben.com  
**HILGERS GRABEN PLLC**  
7859 Walnut Hill Lane, Suite 335  
Dallas, Texas 75230  
Telephone: (972) 645-3097

**ATTORNEYS FOR DEFENDANTS**  
**SAMSUNG ELECTRONICS CO., LTD. AND**  
**SAMSUNG ELECTRONICS AMERICA, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically. I further certify that all counsel of record were served a complete and accurate copy of the document via email on this day.

Dated: July 16, 2024

/s/ Marc Fenster  
Marc Fenster



**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Defendants met and conferred with counsel for Plaintiff in accordance with Local Rule CV-7(h). The Parties are jointly seeking the relief sought in this Motion.

/s/ Marc Fenster  
Marc Fenster